

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 877 OF 2016**

Keshav Ram Sahu son of late Jagatram Sahu, aged about 40 years, resident of Block No.7, Road No.3, Sector-5, Bhilai, District Durg (C.G.)

---Applicant**Versus**

State of Chhattisgarh, through the Station House Officer Police Station Bemetara, District Bemetara (C.G.)

---Non-applicant

For Applicant	:	Ms. Sharmila Singhai, Advocate
For Non-applicant	:	Mr. Dhiraj Wankhede, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****05/04/2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 579/2015, registered at Police Station Bemetara, District Bemetara (C.G.), for the offence punishable under Sections 420, 467, 468, 471, 120-B, 413 of the I.P.C.

2. Case of the prosecution, in brief, is that, applicant is

said to have purchased Tata Indica Vista from the complainant- Ranjit Prasad and paid Rs.30,000/- and promised to pay balance amount in installments to the Tata Motors Finance Limited but he failed to pay said balance amount and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case. She would further submit that now the entire amount with Tata Motors Finance Limited has been paid on 31/03/2016. She would lastly submit that charge sheet has been filed and applicant is in jail since 01/11/2015 therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; nature of dispute; defence of the applicant; charge sheet has already been filed and pretrial detention of the applicant, this Court is of the opinion that present is the fit

case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge